

#236875

Summary News Related Actions

Case Details

Topic Post Commitment Changes - Red Light
Status Closed
Priority High
Inquiry Type Phone
Created By User has been deactivated
Created On 5/11/2018 3:19 PM EDT
Organization Belmont Charter Networks

Case Description

Description I received a Recovery of Improperly Disbursed Funds Letter. Can you tell me why?

Case Artifacts

Documents			Attachments	
Name	Uploaded By	Upload Date	Attachment	Attachment Type
No items available			No items available	

Case Thread

User	Note	Date
USAC	<p>Jason: I received a Recovery of Improperly Disbursed Funds Letter. Can you tell me why?</p> <p>Ans: I pulled up his letter and explained that they are requesting a recovery of funds in the amount of \$41,385.70 of the \$71,563.93 original funding due to***the applicant failed to produce at the request of the Administrator the following; Documentation pertaining to its invoicing for FRN 1699107310: Bill/s received from the service provider showing eligible products and services. FCC rules require schools and libraries as well as service providers to retain all documents related to the application for, receipt, and delivery of discounted telecommunications and other supported services for at least (five or ten) years after the last day of service delivered in a particular Funding Year and to produce such records upon a request of an auditor or other authorized representative. FCC rules further provide that a non-compliance with the FCCs recordkeeping and auditing rules by failure to retain records or to make available required documentation is a rule violation that warrants recovery of any disbursed funds for the time period for which the information/documentation is being sought. Since you failed to produce the above specified documentation upon request of an authorized representative/ an auditor), we were unable to determine if the amount invoiced was for eligible services or products therefore you violated program rules. As a result, USAC will seek recovery of the \$41,385.70 of improperly disbursed funds from the applicant.</p> <p>I advised Jason to file an appeal with USAC.</p> <p>**He also asked about his 471 forms for 2018. He admits he did not file on time. If you have filed or will need to file your FCC Form 471 outside of the filing window, there is not an available procedure to request an extension from USAC;</p>	5/11/2018 3:25 PM EDT

User	Note	Date
	<p>however, you may submit a waiver request to the FCC. A waiver is a request to waive an FCC policy, rule, or deadline such as the FCC Form 471 application filing window deadline. Please follow these steps:</p> <p>1. Follow all pertinent program rules, including:</p> <ul style="list-style-type: none"> • Posting an FCC Form 470, if you have not already, except in cases of allowable exceptions such as for a multi-year contract that was signed pursuant to a previous FCC Form 470, a contract for which you are exercising an eligible voluntary extension, a state master contract, and for low-cost high-speed business class Internet services. • Waiting at least 28 days after the FCC Form 470 (and RFP, if applicable) was posted -- or longer, if required by state or local procurement rules - before choosing a service provider and signing a contract (if applicable). <p>2. File and certify the FCC Form 471 as soon as possible, if you have not already. You will receive a notification that your form was filed outside of the filing window. Forms filed outside of the filing window will not be considered for funding, unless the FCC grants a waiver request:</p> <p>3. File a waiver request with the FCC as soon as possible after your FCC Form 471 has been submitted. The waiver request can be submitted to the FCC through their Electronic Comment Filing System (ECFS).</p> <p>a. Go to the ECFS "Submit a FILING" page: https://www.fcc.gov/ecfs/filings</p> <p>b. Enter "02-6" in the "Proceeding" field.</p> <p>c. Provide the information requested. (There are certain fields that are not applicable, such as the "Report Number" or "Bureau ID Number.") Be sure to choose "WAIVER" from the dropdown menu in the "Type of Filing" field.</p> <p>d. Click "Upload Documents" to open an upload window and attach a letter requesting the waiver request and any supporting documentation. You may also drag and drop the file(s) into the "Upload Documents" field.</p> <p>The FCC requires the following information to be included in the waiver request:</p> <ol style="list-style-type: none"> 1. A statement setting forth the party's interest in the matter presented for review. 2. A full statement of relevant, material facts with supporting affidavits and documentation. 3. The question presented for review, with reference, where appropriate, to the relevant Commission rule, order or statutory provision. 4. A statement of the relief sought and the relevant statutory or regulatory provision pursuant to which such relief is sought. 5. Review the form, make any necessary changes, and then submit the waiver request. <p>For additional assistance:</p> <ul style="list-style-type: none"> • Additional information and instructions can be found under the heading "Submitting Window Waivers" in the July 29, 2016 Schools and Libraries News Brief: http://www.usac.org/sl/tools/news-briefs/preview.aspx?id=710 • Waiver request guidance can also be found under the heading "To File an Appeal with the FCC" on the appeals page of the Schools and Libraries website: http://www.usac.org/about/program-integrity/appeals.aspx • For assistance with using ECFS, please contact the ECFS Help Desk at 202-418-0193 or via email at ECFSHelp@fcc.gov. 	

Case Contact

Case Contact Jason Glass